IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11667 of 2004

Between:

1 R.Venkata Narayana S/o.Basava Raju
R/o. Tirumalagiri Jaggayyapeta Mandal, Krishna District.
2 J.Ramu S/o. Venkaiah
R/o. Tirumalagiri Jaggayyapeta Mandal, Krishna District.
3 I Ravi S/o. I.Venkaiah
R/o. Tirumalagiri Jaggayyapeta Mandal, Krishna District.
4 K.Yesobu s/o. Gyananandam
R/o. Tirumalagiri Jaggayyapeta Mandal, Krishna District.

..... PETITIONERS

AND

1 The Regional Joint commissioner Endowments Department at Kakinada.
2 The Executive Officer Sri Venkateswara Swamy Temple
Tirumalagiri Jaggayyapeta Mandal, Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus by directing the 1st respondent to consider the cases of the petitioners for regularization of their services in respect of the posts in which they were appointed as NMRs by the 2nd respondent pursuant to the resolution passed by the Trust Board and also by the recommendation of the 2nd respondent by referring the same to the 3 Men Committe.

Counsel for the Petitioner: MR.J.ASHVINI KUMAR

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2: Smt S.Indrani

The Court made the following Order :

The 1st and 2nd petitioners were appointed as Attenders and 3rd petitioner was appointed as Night Watchman/Ghurka in the year 2002 and the 4th petitioner was appointed as Sweeper in 2nd respondent-temple in the year 2003.

The Trust Board passed resolution recommending the absorption of the writ petitioners in the approved cadre because certain regular vacancies were available. Basing on the said resolution, the 1st respondent has to pass appropriate orders and therefore, 2nd respondent addressed a letter to the 1st respondent recommending to regularize the services of the petitioners and also to fix their remuneration.

The learned counsel for the petitioners contended that in spite of the acceptance by the Managing Committee and the recommendations made by the 2nd respondent-temple, the 1st respondent has not passed any orders, even though clear vacancies are available in the 2nd respondent- temple.

The learned Standing counsel for the respondents contended that the same has to be considered by the first respondent as per law.

It is not in dispute that as per the letter of the Assistant Commissioner of the respondent-temple, the petitioners were appointed in accordance with the cadre strength and the matter was placed before the Trust Board. The Trust Board has

passed resolution to continue the petitioners for a further period because of necessity of work in the temple. Basing on the above resolution, the Assistant Commissioner recommended the case of the petitioners for extension of period to work in the temple and as such appropriate orders have to be passed by the first respondent in accordance with law.

Therefore, the writ petition is disposed of directing the 1st respondent to pass appropriate orders basing on the letter addressed by the Assistant Commissioner of the respondent-temple in RC.No.Nil/2004, dated 8-2-2004. In the circumstances no costs.

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13-07-2004

rkk/DR

To

1 The Regional Joint commissioner Endowments Department at Kakinada.
2 The Executive Officer Sri Venkateswara Sw amy Temple
Tirumalagiri Jaggayyapeta Mandal, Krishna District.

3. Two CCs to GP for Endowments. (OUT)

4. Two CD copies.